

REMARKS

Claims 1-20 are currently pending in the application. No claims have been amended, added, or canceled. Applicant respectfully requests reconsideration of the application in view of the following remarks.

Applicant respectfully points out that a declaration of Cheryl A. Setzer submitted in a response to Office Action dated May 19, 2004 to overcome U.S. Patent No. 6,601,020 to Myers ("Myers") was submitted with the Patent Office on October 22, 2004. The declaration referenced a date of May 3, 2000. However, since the Applicant did not accompany the response with a Request for Continued Examination, the response was not considered by the Patent Office. On November 19, 2004, the Applicant re-submitted the response to Office Action along with a Request for Continued Examination and a declaration of Cheryl A. Setzer. However, the declaration submitted on November 19, 2004 referenced an incorrect date of May 14, 2000. In response to the currently-pending Office Action, Applicant is re-submitting the declaration that was previously submitted with the Patent Office on October 22, 2004 referencing the correct date of May 3, 2000.

Claims 1-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,832,447 to Rieker et al. ("Rieker") in view of U.S. Patent No. 6,067,522 to Warady et al. ("Warady") and further in view of Myers.

The Office Action concedes that the combination of Rieker and Warady fails to disclose a master account table including account setup information for at least one of utilization and login actions for a web-based managed care transaction system. In addition, the Office Action concedes that the combination of Rieker and Warady fails to disclose a member table including identity information for at least one member. Myers has been cited as disclosing a master account including account setup information for at least one of utilization and login actions for the web-based managed care transaction system and a member table including identity information for at least one member.

The effective date of the Myers reference is May 3, 2000. Applicants submit herewith a declaration of Cheryl A. Setzer under 37 C.F.R. § 1.131, which establishes that Applicants were in possession of the invention disclosure upon which the application is based

prior to the effective date of the Myers reference. Under M.P.E.P. § 715.02, Applicants may overcome a 35 U.S.C. § 103 rejection based by showing possession of the invention (i.e., the basic inventive concept). Applicant's declaration demonstrates possession of the invention prior to the effective date of the Myers reference, i.e., May 3, 2000. As such, Applicants request that the § 103 rejection of claims 1-11 be withdrawn.

Claims 12-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Myers, Rieker, Warady, and U.S. Patent No. 6,263,330 to Bessette ("Bessette").


The Office Action concedes that the combination of Rieker, Warady, and Bessette fails to disclose a master account table including account setup information for at least one of utilization and login actions for a web-based managed care transaction system. In addition, the Office Action concedes that the combination of Rieker, Warady, and Bessette fails to disclose a member table including identity information for at least one member. Myers has been cited as disclosing a master account including account setup information for at least one of utilization and login actions for the web-based managed care transaction system and a member table including identity information for at least one member.

The effective date of the Myers reference is May 3, 2000. Applicants submit herewith a declaration of Cheryl A. Setzer under 37 C.F.R. § 1.131, which establishes that Applicants were in possession of the invention disclosure upon which the application is based prior to the effective date of the Myers reference. Under M.P.E.P. § 715.02, Applicants may overcome a 35 U.S.C. § 103 rejection based by showing possession of the invention (i.e., the basic inventive concept). Applicant's declaration demonstrates possession of the invention prior to the effective date of the Myers reference, i.e., May 3, 2000. As such, Applicants request that the § 103 rejection of claims 12-20 be withdrawn.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Dated: October 18, 2006

Respectfully submitted,

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